

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

TODD CLINTON-HERRON,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 4:07-CV-1311 (CEJ)
	)	
LAIDLAW TRANSIT, INC.,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

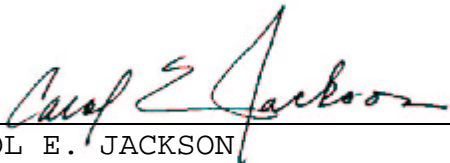
This matter is before the Court on defendant's motion to dismiss for failure to prosecute or, in the alternative, for summary judgment. Plaintiff has not filed a response and the time allowed for doing so has elapsed.

On April 14, 2008, the Court ordered plaintiff to provide initial disclosures and responses to defendant's first request for production of documents and first set of interrogatories. Plaintiff was specifically warned that, "Failure to comply . . . may result in the imposition of sanctions, including dismissal of the complaint, pursuant to Rule 41(b), Fed.R.Civ.P." Plaintiff was given until April 28, 2008, to comply; at his request, the deadline was extended until May 7, 2008. On June 13, 2008, defendant informed the Court that plaintiff had not complied with the Court's order.

The plaintiff, without justification or excuse, has failed to provide disclosures and discovery responses and has disobeyed the Court's order. The Court finds that plaintiff has abandoned prosecution of his case and, thus, dismissal is warranted.

Accordingly,

**IT IS HEREBY ORDERED** that the motion of defendant Laidlaw Transit, Inc., to dismiss for failure to prosecute [Doc. #23] is **granted**.

  
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CAROL E. JACKSON  
UNITED STATES DISTRICT JUDGE

Dated this 21st day of July, 2008.